



# Haverling

L O N D O N B O R O U G H

## GOVERNANCE COMMITTEE AGENDA

**7.30 pm**

**Wednesday  
29 May 2013**

**Town Hall, Main Road,  
Romford**

Members 13: Quorum 4

**COUNCILLORS:**

**Conservative Group  
( 8)**

**Residents' Group  
( 2)**

**Labour Group  
( 2)**

**Independent  
Residents' Group  
( 1)**

Frederick Thompson  
(Chairman)  
Becky Bennett (Vice-  
Chair)  
Robert Benham  
Steven Kelly  
Eric Munday  
Roger Ramsey  
Michael White  
Ted Eden

Clarence Barrett  
Gillian Ford

Keith Darvill  
Paul McGeary

Jeffrey Tucker

**For information about the meeting please contact:  
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## AGENDA ITEMS

### 1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

### 2 APOLOGIES FOR ABSENCE & SUBSTITUTE MEMBERS

(If any) - receive

### 3 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

*Members may still disclose any pecuniary interest in any item at any time prior to the consideration of the matter.*

### 4 MINUTES (Pages 1 - 10)

To approve as a correct record the minutes of the Committee held on 13 March 2013, and to authorise the Chairman to sign them.

### 5 APPOINTMENTS TO OTHER ORGANISATIONS, 2013/14 (Pages 11 - 22)

The Committee is invited to consider the proposals for appointments to outside bodies for the forthcoming year.

### 6 CHANGES TO THE CORPORATE HEARINGS PROCESS (Pages 23 - 26)

The Committee is invited to consider whether to recommend to Council that Initial Assessment Panels be confirmed as part of the corporate complaints process be and the Constitution amended to reflect that.

### 7 MONITORING OFFICER NO 16 AMENDMENTS TO THE CONSTITUTION (Pages 27 - 30)

### 8 MONITORING OFFICER NO 17 AMENDMENTS TO THE CONSTITUTION (Pages 31 - 38)

### 9 MONITORING OFFICER NO 18 AMENDMENTS TO THE CONSTITUTION (Pages 39 - 42)

### 10 MONITORING OFFICER NO 19 AMENDMENTS TO THE CONSTITUTION (Pages 43 - 46)

**Ian Burns**  
**Acting Assistant Chief**  
**Executive**

**MINUTES OF A MEETING OF  
THE GOVERNANCE COMMITTEE  
Havering Town Hall  
13 March 2013 (7.30pm – 9.15pm)**

**Present:**

**COUNCILLORS:**

**Conservative Group** Frederick Thompson (in the Chair), Becky Bennett, Ted Eden, +Georgina Galpin, Steven Kelly, Eric Munday, +Garry Pain and Roger Ramsey

**Residents' Group** Clarence Barrett and Gillian Ford

**Labour Group** Keith Darvill and Paul McGeary

**Independent Residents' Group** Jeffrey Tucker

+ **Substitute Members:** Councillors Garry Pain (for Robert Benham) and Georgina Galpin (for Michael White)

The Chairman reminded Members of the action to be taken in an emergency.

Apologies for absence were received from Councillors Robert Benham and Michael White

There were no disclosures of pecuniary interest

## 27 **MINUTES**

The minutes of the meeting held on 16 January 2013 were agreed as a true record and signed by the Chairman.

## 28 **CONFIDENTIAL REPORTING (WHISTLEBLOWING)**

The Confidential Reporting Policy - more commonly referred to as the 'Whistleblowing Policy' - formed part of the Council's Corporate Governance Framework and was reviewed and updated by the Officer Governance Group in 2012. Although the updated policy was made available to the Trade Unions, they had made no comment on it.

In the current financial year there had been 15 whistleblowing reports. The figures for the previous four financial years had also been provided and indicated an increase year on year.

The changes made to the policy were:

- 1) A change of ownership from the Council's Monitoring Officer to Group Director Finance & Commerce as most activity under the policy was undertaken within Internal Audit and Human Resources.
- 2) Individuals covered by the policy had been extended to ensure all relevant groups were covered - including volunteers.
- 3) The format of the policy had been updated to make it more reader friendly.

The Committee:

1. **Noted** the contents of the report.
2. **Approved** the updated Confidential Reporting Policy.
3. **Noted** that minor changes to the job titles within the policy might be required following the implementation of the Senior Management Restructure.
4. **Resolved** to delegate authority to make these changes to the Group Director Finance & Commerce.

## 29 ANNUAL COUNCIL ARRANGEMENTS

Following a review of the different ways in which the Annual Meetings of the Council had been arranged over the past several years, the Committee had been invited to consider whether the arrangements for the Annual Council that had been followed in 2012 should become permanent. This would require amendment of the Council Procedure Rules if agreed.

The new arrangements would provide as follows:

- (a) Other than in the year of the local elections – next due in 2014 – immediately before the main Annual Meeting there would be a brief extraordinary meeting of the Council to deal with nominations for the election of Honorary Freeman (in election years, this would be dealt with at the July meeting of the Council, as at present)
- (b) The Annual Meeting itself would follow on as seamlessly as possible from the extraordinary meeting, and the business to be considered would be:
  - (i) The Election of the Mayor
  - (ii) The appointment of Deputy Mayor
  - (iii) The appointment of Committees and their Chairmen and Vice-Chairmen
  - (iv) The appointment of Member Champions
  - (v) A statement by the Leader of the Council
- (c) A further, ordinary meeting of the Council would be held two or three weeks after the Annual Meeting, at which the business would include:
  - (i) A debate upon the Leader of the Council's statement at the Annual Meeting
  - (ii) Other, ordinary business (Reports, Questions and Motions)

The new Council Procedure Rules to give effect to these arrangements were set out in the Appendix to the report.

The Committee **RESOLVED** to **RECOMMEND** to Council that:

- 1 The proposed new arrangements for the Annual Meeting be approved
- 2 That the changes to the relevant Council Procedure Rules set out in the Appendix to the report be approved.

### 30 **MEMBERS' QUESTIONS AT COUNCIL MEETINGS**

For many years, 30 minutes had been available at Council for questions about the business of the Council and matters affecting the borough. Members, having given notice of their main question and received the initial answer may then ask without notice a supplementary question. The number of questions put down for answer is invariably over 20 and often near 30, but it was now rare for more than nine or 10 questions to be answered. As well as the number of questions, the complexity of many meant that a considerable amount of research had to be undertaken in a patently short period as questions currently had to be submitted six working days before the Council meeting.

The reduction in the size of the officer structure together with the number and complexity of questions was resulting in answers being completed very close to the Council meeting and often required Cabinet Members to consider the draft replies at very short notice.

To address this problem, the Committee suggested that the notice period for the deposit of questions should be extended to 11 working days before the Council meeting. This would enable answers to be prepared in a comprehensive manner, including sufficient time for Cabinet Members to include their input into the final replies.

The Mayor would still be able to permit the asking of an urgent question where a matter of importance had arisen after the normal closing date for questions. In order that more questions could be answered orally, the Committee also suggested that the number of questions be limited to a maximum of 15. There would be no time limit.

Currently, questions that did not receive an oral answer received a written answer instead. This was appropriate when there was uncertainty about the number of questions that would receive an oral reply. If the Council decided to fix the number of questions that would receive an oral reply then there was no need to have a 'reserve' list that might or might not receive an oral response. It was proposed that once the 15 questions had been submitted, any subsequent questions would be treated as "member enquiries" and would receive a written response in the normal manner.

Vote 1: Proposal to defer the report:

For the motion: Councillors Clarence Barrett, Gillian Ford, Keith Darvill and Paul McGeary.

Against the motion: Councillors Frederick Thompson, Becky Bennett, Steven Kelly, Eric Munday, Roger Ramsey, Ted Eden, Georgina Galpin and Garry Pain. Councillor Jeffrey Tucker abstained.

The motion was **LOST** by eight votes to four.

Vote 2: Proposal to limit the number of questions to 15:

For the motion: Councillors Frederick Thompson, Becky Bennett, Steven Kelly, Eric Munday, Roger Ramsey, Ted Eden, Georgina Galpin, Garry Pain and Jeffrey Tucker.

Against the motion: Councillors Clarence Barrett, Gillian Ford, Keith Darvill and Paul McGeary.

The motion was **CARRIED** by nine votes to four.

Vote 3: Proposal to have a maximum of 15 questions within 30 minutes:

For the motion: Councillors Clarence Barrett, Gillian Ford, Keith Darvill, Paul McGeary, Becky Bennett and Jeffrey Tucker.

Against the motion: Councillors Frederick Thompson, Steven Kelly, Eric Munday, Roger Ramsey, Ted Eden, Georgina Galpin and Garry Pain.

The motion was **LOST** by seven votes to six.

Vote 4: Proposal to return to the original propositions set out in the recommendations (with 15 questions and no time restriction):

For the motion: Councillors Frederick Thompson, Becky Bennett, Steven Kelly, Eric Munday, Roger Ramsey, Ted Eden, Georgina Galpin and Garry Pain.

Against the motion: Councillors Clarence Barrett, Gillian Ford, Keith Darvill, Paul McGeary and Jeffrey Tucker.

The motion was **CARRIED** by eight votes to five

There were already provisions in the Council Procedure Rules to ensure a fair distribution of questions. These provisions would be retained.

The Committee **RESOLVED** to **RECOMMEND** to Council that:

1. Rule 10.2(i) of the Council Procedure Rules (Notice of Questions) be amended to read:

“They have given 11 clear days’ notice in writing to the Proper Officer signed by the Member or by the Group Leader on behalf of that Member” and the timetable in the Appendix to the Rules be amended accordingly.

2. Rule 10.6 of the Council Procedure Rules (Time for Questions) be amended to read:

“Number of Questions

A maximum of 15 questions can be submitted for a Council meeting all of which together with any supplementary questions under rule 10.5 will receive an oral reply at the meeting. Any questions in excess of the maximum number that are submitted will be treated as a Member enquiry and receive a written response.”

**31 CHANGES TO THE COUNCIL’S CONSTITUTION AS A RESULT OF THE HEALTH AND SOCIAL CARE ACT 2012**

The Health and Social Care Act 2012 introduced the largest and most significant change to the NHS since its creation. The Act transfers public health functions back to local authorities with effect from the 1 April 2013. The Act requires the establishment of a Health and Wellbeing Board as an executive committee of the Council also with effect from 1 April 2013.

At its meeting on 11 September 2012, the Committee approved the membership of Havering’s Shadow Health and Wellbeing Board (HWB) in line with legal requirements. The Shadow HWB has been meeting since March 2011 and, at its last meeting in February 2013, agreed to request specific rules of procedure required to comply with all relevant primary and secondary legislation affecting the HWB. These would be incorporated into the recommended changes to the Constitution along with additional changes required to integrate public health functions into the Constitution.

As the public health team transferred to the Council and working arrangements were finalised, it could be possible that further changes would be brought forward to improve practice and delineate roles and procedures.

A sub-committee of the Health and Wellbeing Board - the Health Protection Forum – had been agreed by the Board in February.

The Committee **RESOLVED** to **RECOMMEND** to Council that:

1. The recommended changes to the Council’s Constitution as detailed in Appendix 1 to this report, be adopted.
2. The Membership of the Health and Wellbeing Board as set out in Appendix 2 to this report, be noted.

**32 HEALTH OSC FUNCTIONS**

The Health & Social Care Act 2012 and Regulations recently made under it had changed the way in which the Council scrutinised the work of local NHS bodies, affecting the Council, the Health Overview & Scrutiny Committee (Health OSC) and the scrutiny arrangements that existed jointly with the outer North East London boroughs of Barking & Dagenham, Redbridge and Waltham Forest and the County of Essex (in relation to Epping Forest and Brentwood, both of which looked to hospitals in the North East London sector for health services).

The current powers of the Health OSC, as set out in the Constitution, were:

Health	<ul style="list-style-type: none"><li>• Scrutiny of NHS Bodies under the Council's Health Scrutiny function</li></ul>
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The new Act, and Regulations recently made under it, did not, of themselves, affect that allocation of functions. It was the way in which the functions were exercised that had changed.

Members were aware that issues affecting the provision of health services tended to attract considerable public interest. Locally, the current and future operation of maternity services and accident & emergency services at Queens Hospital had been matters of major concern and had prompted several debates and resolutions at Council and led to the only exercise - to date - of the right of referral to the Secretary of State by the Health OSC (acting on its own behalf and jointly with the Health OSCs of Barking & Dagenham, Redbridge and Waltham Forest and Essex).

Under the new legislation, that referral would have been made on behalf of each Council as a whole rather than by the individual Health OSCs acting on their own initiative. An express purpose of the provisions in the new Act was to ensure that, in future, no Health OSC could act unilaterally and take a position different to that of its appointing Council. Although there was no inconsistency between the Health OSC and the view expressed in resolutions by the Council, it appeared that such inconsistencies had occurred elsewhere. The possibility of that occurring would now be avoided.

The Committee **RESOLVED** to **RECOMMEND** to Council that:

- (i) The Health Overview & Scrutiny Committee (and any successor OSC) continue to carry out the day-to-day health scrutiny functions
- (ii) Responses to any formal consultation by a health service body be reported to the next convenient meeting of the Council for information and, where necessary, endorsement
- (iii) Where the Health OSC considers that a health service proposal should be referred formally to the Secretary of State, it should report upon the matter to the Council and such referral should be made only by resolution of the Council.
- (iv) The Council continue to participate in the activities of the Outer North East London Joint Health OSC and that the Council's Joint Health OSC continue to have authority to enter into other Joint Health O&S arrangements as appropriate.
- (v) The functions of the Health OSC be amended by the insertion - after the current description of the OSC's functions in Section 1.4 of Part 3 of the Constitution of the words:  
  
“(except any referral to the Secretary of State, which is reserved to the Council by resolution)”



33 **APPOINTMENT OF MEMBER CHAMPION FOR THE ARMED SERVICES**

At the Council meeting on 30 January 2013, in response to a Member's question, the Leader of the Council indicated that he supported the proposition that the Council should appoint a Member Champion for Armed Forces veterans. This comment was met with approval from all present at the meeting. Subsequently it was considered that a Champion for the Armed Forces inclusive of currently serving personnel, veterans and youth cadet organisations would be more appropriate.

No specific terms of reference are proposed for this appointment but the Member appointed would be expected to establish and maintain links with the Armed Forces units with which the Council has a relationship such as The Royal Anglian Regiment and HMS Raider as well as the wide number of different veterans' organisations such as the Royal British Legion, the Burma Star Association and the Royal Air Force Association. The role would also provide an opportunity to promote the work of the pre-service youth cadet organisations in the borough and to promote the Armed Forces Community Covenant which Havering signed in 2012.

The Committee **RESOLVED** to **RECOMMEND** to Council that a Member Champion for Armed Forces be appointed, with effect from the Annual Council in May 2013.

34 **APPOINTMENTS TO OTHER ORGANISATIONS – HORNCHURCH HOUSING TRUST**

The Council appoints a number of nominative trustees to the Trust for four year terms of office expiring in sequence over each four year period.

The term of office for both Councillor Eric Munday and Mr Chris Oliver expired at the end of February 2013. Mr Oliver indicated that he did not wish to be re-appointed and it was proposed that Councillor Ted Eden should replace him as the Council's nomination to the Trust.

Councillor Eric Munday indicated that he wished to continue.

Vote 1: Proposal to appoint Councillor John Mylod as he was a Ward Councillor and had expressed an interest in being appointed to the trust:

For the motion: Councillors Clarence Barrett, Gillian Ford, Keith Darvill, Paul McGeary and Jeffrey Tucker.

Against the motion: Councillors Frederick Thompson, Becky Bennett, Steven Kelly, Eric Munday, Roger Ramsey, Ted Eden, Georgina Galpin and Garry Pain.

The motion was **LOST** by eight votes to five.

Vote 2: To appoint Councillor Ted Eden:

For the motion: Councillors Frederick Thompson, Becky Bennett, Steven Kelly, Eric Munday, Roger Ramsey, Ted Eden, Georgina Galpin and Garry Pain  
Councillors Clarence Barrett, Gillian Ford, Keith Darvill, Paul McGeary and Jeffrey Tucker abstained. .

The motion was **CARRIED**.

The Committee **RESOLVED** to appoint **Councillor Eric Munday** and **Councillor Ted Eden** as Trustees for the term of office expiring in February 2017.

**35 MONITORING OFFICER AMENDMENTS TO THE CONSTITUTION Nr 15**

The Committee was informed that as a new Constitution had been adopted effective from 9 May 2010, the numbering system had commenced again from 01/10. This meeting was the first opportunity for the reporting of the most recent amendments made.

The Committee **NOTED** the report and the amendments contained in its appendix.

**36 MONITORING OFFICER REPORT**

Recent applications of the Constitution have identified a need for two small amendments to delegated powers would assist the delivery of the Council's work.

Staff, other than solicitors, can appear on behalf of the Council at various Tribunals only if they have been duly authorised to do so. While the Assistant Chief Executive has a general delegation to authorise Council staff to appear in Courts and Tribunals, representation of the Council at the Valuation Tribunal on Council Tax support matters is a specialist task and the Governance Committee considers that the Head of Customer Services would be best placed to know which staff were suitably knowledgeable and experienced to represent the Council in Tribunal proceedings.

The Committee **RESOLVED** to **RECOMMEND** to Council that the following amendments to the Constitution and to practice be adopted.

1. That the Head of Customer Services be delegated the power to authorise staff in the particular circumstances relating to Council Tax issues.
2. Part 3.6.2 - Head of Customer Services be amended by:

Adding, after (h) (iii) a new paragraph (iv) to authorise staff to represent the Council on all matters relating to Council Tax support appeals in the Valuation Tribunal service. Current paragraph (iv) will then be renumbered (v).

.....

**CHAIRMAN**

Date: .....

**SUBJECT: AMENDMENTS TO CONSTITUTION**

**Notification No. 15**

**Date 18<sup>th</sup> February 2013**

**Notification of amendments to the constitution**

**Amendments made by the Monitoring Officer**

Part 2, Article 11.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution.

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
<b>Part 3.6.2</b>	82	<p><b>Amend:</b></p> <p><b>(l)The Benefits Manager</b> is authorised to lay informations on behalf of the Council before the Magistrates Court and to prosecute or defend all actions before the Court in respect of benefit fraud offences</p> <p><b>To read:</b></p> <p><b>(l) The Council Tax, Internal Audit and Corporate Risk Manager</b> is authorised to lay informations on behalf of the Council before the Magistrates Court and to prosecute or defend all actions before the Court in respect of housing benefit and Council tax support fraud offences</p>	Restructure and Legislation Change
<b>Part 3.6.2</b>	82	<p>To move the following powers from the Head of Customer Services and add to Head of Financial &amp; Procurement after <b>(j)</b></p> <p><b>Part 3.7.3</b></p> <p><b>(k)</b> To be responsible for the implementation, management and administration of the Council's prosecution policy in relation to housing benefits and Council Tax fraud.</p>	Restructure and Legislation Change

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
		<p><b>To delete</b></p> <p><b>(l)</b> To authorise activity under the Regulation of Investigatory Powers Act 2000.</p> <p><b>Internal Audit &amp; Corporate Risk Manager</b> is authorised to lay informations on behalf of the Council before the Magistrates Court and to prosecute or defend all actions before the Court in respect of benefit fraud offences</p>	
<b>Part 3.6.2</b>	81	<p><b>From 1<sup>st</sup> April 2013</b></p> <p><b>Head of Customer Services</b></p> <p><b>Replace (g), (h), (h)(i), (k)</b></p> <p>Housing and Council Tax</p> <p><b>To Read:</b></p> <p>Housing Benefit and Council Tax Support</p>	Legislation Change
<b>Part 3.6.2</b>	81	<p><b>Amend:</b></p> <p><b>(h) (v)</b> exercising the Council's discretionary powers in relation to the administration of housing and council tax benefits and discretionary housing payments</p> <p><b>To read</b></p> <p><b>(h) (v)</b> exercising the Council's discretionary powers in relation to the administration of housing benefit and council tax support and (for housing benefit) discretionary housing payments</p>	Legislation Change



## GOVERNANCE COMMITTEE

## REPORT

**Subject Heading:**

**APPOINTMENTS TO OTHER  
ORGANISATIONS, 2013/14**

**CMT Lead:**

Ian Burns  
Assistant Chief Executive  
01708 432442

**Report Author and contact details:**

Jacqui Barr  
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**Policy context:**

The Council appoints Members and others to serve on a variety of other bodies

**Financial summary:**

There are no significant financial implications.

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	[x]
Excellence in education and learning	[x]
Opportunities for all through economic, social and cultural activity	[x]
Value and enhance the life of every individual	[x]
High customer satisfaction and a stable council tax	[x]

**SUMMARY**

The Council makes appointments to a large number of other organisations, some statutory, others voluntary.

Since the new executive governance arrangements came into force, responsibility for making some appointments has passed from this Committee to the Leader of the Council but the Constitution provides that it is for this Committee to make recommendations to the Leader.

## RECOMMENDATIONS

That:

- 1 (a) That the Committee determine appointments to the organisations referred to in this report for the period until the meeting that deals with appointments for the municipal year, 2013/14 (or such other period as may be relevant in any specific case).
- (b) That, where the appointment is executive, the Committee **RECOMMEND** to the Leader that the appointment be made.
- 2 That, where the Council's representative (or any deputy or alternative representative where applicable) is unable to attend a particular meeting and the constitutional arrangements of the body in question so permit, that representative may mandate the Chair of the meeting to exercise a proxy vote.
- 3 That the Council's voting rights at the General Assembly of the Local Government Association be exercised by Councillor Michael White (4 votes) and Councillor Clarence Barrett (1 vote) (or their respective nominees in the event either is unable to vote in person).

## REPORT DETAIL

- 1.1 The Committee is authorised to make all appointments to other organisations (other than executive appointments, which are made by the Leader). Appointments are for the period expiring at the first meeting of this Committee in the municipal year 2014/15 (probably during the last week of May 2015), except where otherwise specifically provided.
- 1.2 **Appendix 1** Executive appointments. **The Committee is asked to review the appointments and to make recommendations to the Leader.**
- 1.3 **Appendix 2** lists the appointments made by office-held and by individual member, but are not executive. **The Committee is asked to review these appointments and either confirm them or agree what changes are to be made.**
- 1.4 Appointments that do not require review or renewal for the present are shown in italics. **The Committee is asked to note these appointments.**

**Exercise of voting rights:**

- 2.1 In some cases, the constitution of an organisation permits the casting of proxy votes if the appointed representative is unable to attend a meeting.
- 2.2 In order to avoid a possible loss of influence, it is the Council's usual practice to agree that, where the Council's representative (or any deputy or alternative representative where applicable) is unable to attend a particular meeting and the constitutional arrangements of the body in question so permit, that representative may mandate the Chair of the meeting to exercise a proxy vote.
- 2.3 **The Committee is asked to agree to that practice continuing for the coming year.**
- 2.4 The Council is entitled to 5 votes in the General Assembly of the Local Government Association. Previously, the Leaders of the Council and of the Opposition were allocated 4 votes and 1 vote each respectively.
- 2.5 **The Committee is asked to confirm that this arrangement should continue.**

**IESE Ltd**

- 3.1 The Council is in the process of becoming a member of IESE Ltd a company wholly owned by a number of South East England local authorities which specialises in providing assistance and expertise on large scale procurement and research into local government service provision. The Council was approached by IESE Ltd to become a member because of the Council's approach to transformation of services, in particular the potential for successfully delivering Customer Services using modern software solutions. Havering will be the first London Borough to join IESE Ltd. There will be no cost to the Council from becoming a member.
- 3.2 Membership gives the Council a seat on the IESE Ltd board. It is an executive function, so the final decision on membership rest with the Leader. The normal approach of Councils that are members of IESE is for them to be represented by their leader.
- 3.3 **The Committee is requested to follow this approach and nominate the Leader as the Council's representative.**

**Lee Valley Regional Park Authority**

- 4.1 The Lee Valley Regional Park Authority (LVRPA) consists of 4 Members nominated by local authorities that border the River Lee and 4 Members nominated by London Councils on behalf of the remaining non-riparian London Councils, all of which contribute to the funding of the LVRPA.
- 4.2 Councillor Andrew Curtin was first appointed to the LVRPA as a London Councils nominee in 2005. His present term of office will expire on 30 June. It is understood that Councillor Curtin is eligible to be re-appointed – but that is dependent upon the Council formally nominating him for re-appointment and London Councils accepting the nomination.

4.3 It should be noted that the appointment is personal to Councillor Curtin and in the event of his resignation from the LVRPA, there would be no guarantee that London Councils would replace him with another Havering nominee.

**4.4 The Committee is requested to nominate a Member for consideration by London Councils to be appointed to the LVRPA. A job description is enclosed to assist with the selection process.**

### **Partnerships in Parking**

5.1 In December 2011, Partnerships in Parking undertook a 5 year review as many Authorities felt that the Partnership no longer provided value for money or financial benefits through joint procurement exercises, efficient framework agreements and peer group advice. As part of the Council's cost saving measures, it was agreed that Havering should withdraw from the Partnership in January 2012.

### **Havering Youth Inclusion and Support Panel**

6.2 The role of the Youth Inclusion and Support Panel in Havering was reviewed as part of the Council's Transformation Programme. In April 2013, it was agreed to disband the Panel and Member representation is no longer required

## **IMPLICATIONS AND RISKS**

### **Equalities and Social Inclusion Implications and Risks**

There are no specific implications or risks. Appointments should be made with the Council's equalities policies in mind.

### **Legal, Finance and Environmental Implications and Risks**

These appointments are administrative and have no direct legal, financial or environmental implications or risks. In some cases, membership of an organisation is dependent upon the Council paying a subscription: where relevant, the subscription will be met from within an appropriate budget provision.

## **BACKGROUND PAPERS**

A number of files is held by Democratic Services which provide information on the organisations to which appointments are being made.



**APPOINTMENTS RECOMMENDED BY THE COUNCIL TO OTHER ORGANISATIONS, 2012/13**

ORGANISATION AND NUMBER OF APPOINTEES	EXECUTIVE MEMBER APPOINTMENTS	
CEME (Centre for Engineering & Manufacturing Excellence) - 1	Group Director, Finance & Commerce	
East London Waste Authority - 2	Deputy Leader of the Council and Cabinet Member – Environment	
East and South East London Transport Partnership	Leader of the Council	
Greater London Enterprise Limited -1	Cabinet Member– Community Empowerment	
IWMS Contract Liaison Committee - 1	Deputy Leader of the Council	
London Councils (Leaders' Committee)	Representative (1): Leader of the Council  Deputy: (1) Deputy Leader of the Council	
Transport & Environment Committee	Representative (1): Cabinet Member - Environment  Deputies (up to 4): Deputy Leader of the Council, Cabinet Member – Community Empowerment, Cabinet Member – Value	

Appointments to other organisations, 2012/13

Grants Committee

Representative (1): Cabinet Member – Value

Deputy (up to 4): Deputy Leader of the Council, Cabinet Member – Towns & Communities & Cabinet Member-Transformation

Greater London Employment Forum

Representative: Cabinet Member – Value

Deputy Representative: Deputy Leader of the Council

**APPOINTMENTS MADE BY THE COUNCIL TO OTHER ORGANISATIONS, 2012/13**

<b>ORGANISATION AND NUMBER OF APPOINTEES</b>	<b>MEMBER APPOINTED (Non Executive Appointments)</b>	
Adoption Panel-1	Councillor Wendy Brice-Thompson	
Age Concern : Havering (Havering Old People's Welfare Association Council) - 2	Cabinet Member – Individuals and Councillor June Alexander	
Carers Panel-1	Councillor Wendy Brice-Thompson	
Coopers Company & Coborn Educational Foundation	Councillor Linda van den Hende	
Damyns Hall Aerodrome Joint Consultative Committee-2	Cabinet Member for Community Empowerment and Councillor Linda van den Hende	
Essex Wildlife Trust (Bedfords Park Management Committee)	Councillor Geoff Starns	
Governor Panel - 3	Cabinet Member – Children & Learning, Councillor Wendy Brice-Thompson and Councillor Gillian Ford	
Havering Arts Council - 5	Cabinet Member- Towns & Communities, Councillors Keith Wells, Garry Pain, Linda Hawthorn and Barbara Matthews.	
Havering Association for People with Disabilities - 2	Councillors Steven Kelly and Councillor Nic Dodin	

**Appointments to other organisations, 2012/13**

Havering Bands and Majorettes Association - Executive Committee - 3	Councillors Andrew Curtin, Osman Dervish and Linda Hawthorn
Havering & Brentwood Bereavement Service - 1	vacancy
Havering Chamber of Commerce and Industry	Leader of the Council
Havering Children's Trust	Cabinet Member – Children & Learning
Havering Community Safety Partnership – 2	Cabinet Member– Community Safety and the Acting Assistant Chief Executive, Legal and Democratic Services
Havering Joint Forum - 6	Leader of the Council, Deputy Leader of the Council, Cabinet Member – Value, Cabinet Member- Transformation, Leader of the Opposition Group and Councillor Linda van den Hende
Havering Local Strategic Partnership - 3	Leader of the Council, Deputy Leader of the Council and Leader of the Opposition
Havering Police and Community Consultative Group - 9	Cabinet Member- Community Safety and Councillors Roger Evans (Elm Park & Hylands); Paul Rochford (Emerson Park & Harold Wood); Lynden Thorpe (Squirrels Heath & Pettits); Denis O'Flynn (Harold Hill); John Wood (Hornchurch); Billy Taylor (North Romford); Fred Osborne (Romford & Brooklands); Michael Deon Burton ( South Hornchurch & Rainham); Gillian Ford (Upminster & Cranham)

**Appointments to other organisations, 2012/13**

Havering Sports Council - 5

Cabinet Member – Towns & Communities , Councillors Osman Dervish, Garry Pain, John Mylod and Denis Breading.

Havering Sixth Form College

Cabinet Member – Children & Learning (till July 2014)  
Councillor Wendy Brice Thompson (till July 2013)

Havering Theatre Trust - 3

Cabinet Member - Value, Cabinet Member – Transformation and Councillor Gillian Ford.

Havering Twinning Educational Association

Councillor Melvin Wallace

Hornchurch Housing Trust (Nomination Trustees) - 6

Ms Pamela Freer and Mr David Williams (until February 2015)  
Councillor Eric Munday and Councillor Ted Eden (until February 2017)

Mr Ivor Cameron and Mrs Peggy Munday (until February 2014)

Joint O&S East London Solutions

Councillor Rebecca Bennett  
Deputies: Councillor Wendy Brice-Thompson, Councillor Frederick Thompson, Councillor Robby Misir.

Lee Valley Regional Park Authority (indirect appointment via nomination to London Councils)

Councillor Andrew Curtin (until June 2013)

Local Government Association General Assembly - 4

Leader of the Council, Deputy Leader of the Council, Cabinet Member, Value and Leader of the Opposition

**Appointments to other organisations, 2012/13**

Local Government Association Tourism Forum - 1	Cabinet Member – Towns & Communities		
Local Government Association Urban Commission- 2	Cabinet Member – Community Empowerment Councillor Clarence Barrett		
London City Airport Consultative Group (indirect appointment via nomination to London Council)	Councillor Barry Tebbutt (until April 2015)		
London Home & Water Safety Council	Councillors Keith Wells	<b>*Leader</b>	19.12.12
London Road Safety Council	Councillors Wendy Brice-Thompson* and John Mylod	<b>*Leader</b>	14.12.12
London Youth Games-1	Cabinet Member – Towns & Communities		
Lucas Children’s Play Charity Nominative Trustees – 2	Councillors Andrew Curtin and Councillor Linda Hawthorn (appointed till November 2015)		
North East London NHS Foundation Trust - 1	Cabinet Member – Individuals		
Orchard Village Neighbourhood Management Board	Cabinet Member- Housing, Cabinet Member-Transformation, Rebecca Bennett and Denis Breading		
Poyntz (a.k.a. Richard Poyntry’s) and other charities	Councillor June Alexander (until March 2016) Mr David Livermore (until March 2016) Rev. George Baisley (until March 2016)		Governance Committee 14.3.12

**Appointments to other organisations, 2012/13**

Relate North East	Councillors Keith Wells and Brian Eagling
Reserve Forces & Cadets Association	Councillor Ted Eden
Romford Town Centre Partnership	Leader of the Council, Cabinet Member – Community Empowerment (Deputy) and Chief Executive
<a href="#">Romford Combined Charity Nominative Trustees - 2</a>	<a href="#">Councillor Michael Armstrong, Councillor Andrew Curtin and (until 3.11.14) Wilf Mills (until 3.11.16) Councillor Sandra Binion (until 25.10.15))</a>
Second Chance Theatre for the People	Councillor Andrew Curtin
Standing Advisory Council for Religious Education (SACRE) - 5	Cabinet Member- Children & Learning, Councillors Wendy Brice-Thompson (observer), Damian White, Pam Light, Gillian Ford and Paul McGeary
Tenant Management Organisations	BETRA (Gooshays) – Councillor Keith Wells DELTA (Squirrels Heath) – Councillor Lynden Thorpe PETRA (St Andrews) – Councillor Garry Pain
<a href="#">Thames Regional Flood Defence Committee- 1</a>	<a href="#">Cabinet Member – Environment (until November 2014)</a>
Upminster Windmill Preservation Trust	Councillor Linda Hawthorn
Veolia ES Cleanaway Havering Riverside Trust - 1	Cabinet Member – Transformation
Veolia ES Cleanaway - Maintenance Trust -	Cabinet Member – Transformation





## GOVERNANCE COMMITTEE

**Subject Heading:**

**CHANGES TO THE CORPORATE HEARINGS PROCESS**

**CMT Lead:**

Ian Burns, Acting Assistant Chief Executive

**Report Author and contact details:**

Grant Soderberg, Committee Officer  
01708 433091  
[grant.soderberg@havering.gov.uk](mailto:grant.soderberg@havering.gov.uk)

**Policy context:**

To formally adopt the Initial Assessment Panel as part of the Corporate Hearings process and to amend the relevant part of the Constitution to reflect that.

**Financial summary:**

The cost of any change would be minimal

**Has an Equality Impact Assessment (EIA) been carried out?**

Not required.

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

### SUMMARY

The Stage Three of the Council's Corporate Complaints process requires a hearing to be held before a panel of Councillors. This is costly in terms of officer and Member time and administrative support.

In 2010 the Adjudication and Review Committee adopted – by way of experiment – an “assessment” phase (taken from the process used by the Standards Committee) to filter out hearing requests which had no merit.

Since the inception of the Initial Assessment Panels (IAPs) the work of Adjudication and Review in discharging its responsibilities under the Constitution has become more effective, speedier and has saved the Council considerable expense by preventing inappropriate cases from becoming full hearings and

allowing through cases where Councillors could contribute positively to the outcome.

**RECOMMENDATIONS**

1. That the Committee approve the use of Initial Assessment Panels as a permanent part of the Council's complaints procedure and
2. Recommend to Council that the changes in this report be made to the relevant part of the Constitution.

**REPORT DETAIL**

1. On 19 January 2009, a report was presented to the Adjudication and Review Committee inviting it to adopt an assessment phase for screening requests for hearings in order to ensure that only cases which had merit – and to which Councillors could make positive contributions – were passed on for a full hearing.
2. The model suggested was based on the Assessment Sub-Committee then in use – to good effect - by the Standards Committee. The need for such a mechanism had become apparent after Members had registered dissatisfaction at having to consider appeals about which they could do little or nothing and which had placed a time burden on both staff and Councillors as well as the cost of the rooms and materials supporting those hearings.
3. In order to ensure that Councillors remained integral to Stage Three, the Initial Assessment Panel (IAP) was originally set up with two Councillors (one of whom was either the Chairman of the Adjudication and Review Committee or one of its Vice Chairs). The IAP was designed to be informal and could be held at short notice in order to determine whether a complainant's case should progress to a full hearing or not.
4. The IAPs are serviced by a clerk from Committee Administration and, if the members of a particular IAP considered it to be necessary, a member of Legal Services.
5. The options open to IAPs – from its inception to date - are
  - a Reject the hearing request (and refer the complainant either to the Local Government Ombudsman or, if not appropriate, to another body)
  - b Recommend the matter proceed to a hearing or

- c Refer part or all of the complaint back to the Service in order that further work can be undertaken (and hopefully the issues resolved). This is an aid to determining whether course a or b above should be followed.
- 6. Since the IAPs were set up, there have been 11 meetings covering 12 individual cases of which 5 were rejected and 4 proceeded to a hearing. A hearing was recommended in another case, but the Service came to a settlement with the complainant and the hearing was no longer necessary
- 7. During a review of the process it became clear that having ad hoc IAPs was not a very economical way to use Members' time and that (again using the Standards Committee model) it would be better to have set dates for IAPs and for these to appear in the Council's calendar. This has been done for the year ahead so that Members are aware their attendance may be required.
- 8. During the course of 2012, the process was further refined and currently the status of an IAP is that of a decision-making body in that it decides whether to reject a hearing request or pass it on to a formal hearing, but if it decides on the latter course, it effectively makes itself wholly invisible and there will be no reference to the IAP. By this it is meant that it makes no recommendations to a hearings panel, nor are the case papers changed in any way. What it received and deliberated on goes to the hearing as if the IAP had not happened.

### **Changes to the Constitution**

- 9. Because the introduction of Initial Assessment Panels was an experiment, to date it has not been appropriate for any changes to be made to the Constitution. If the Committee is minded to continue using IAPs in the future, it will be necessary to make mention of them in Part 3, 1.2 Functions delegated to general council committees. The changes proposed are:

Add wording in Hearings Panels, General hearings to read:

*"Initial Assessment Panels – To assess complaints referred to Members for their adjudication under the agreed Corporate Complaints procedure"*

And amend existing wording to read:

*"To consider complaints by service users referred to them by Initial Assessment panels relating to the service made available to them in accordance with the authority's agreed Corporate Complaints procedure."*

- 10. The above changes will ensure that, in the event of a challenge to any decision to reject a hearings request by a complainant because the IAP is not a formal part of the procedure, the Council has taken steps to eliminate any such charge and thereby eliminated any potential claim for damages or charge of maladministration.

**IMPLICATIONS AND RISKS**

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

**Financial implications and risks:**

These changes are purely procedural and have no specific financial implications.

**Legal implications and risks:**

The Constitution provides for the Monitoring Officer to make certain amendments to the constitution

**Human Resources implications and risks:**

None

**Equalities implications and risks:**

None

**BACKGROUND PAPERS**

E-mail correspondence re: amendments

# GOVERNANCE COMMITTEE

# REPORT

**Subject Heading:**

MONITORING OFFICER NO 16  
AMENDMENTS TO THE  
CONSTITUTION

**Report Author and contact details:**

IAN BURNS  
01708 432442

**Policy context:**

Monitoring Officer Amendments to the  
Constitution

**Financial summary:**

These changes are purely procedural and  
have no specific financial implications

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

**SUMMARY**

Part 2 Article 11.02(c) of the Constitution authorises the Monitoring Officer to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure.

The constitution provides that this committee must be notified of any such amendment at the first reasonable opportunity.

**RECOMMENDATIONS**

That this report be noted.

**REPORT DETAIL**

The Monitoring Officer has the ability to make limited amendments to the Constitution as set out in the summary above.

As a new Constitution has been adopted with effect from 9<sup>th</sup> May 2010 the numbering system has commenced again from 01/10.

The meeting of this committee is the first opportunity for the reporting of the most recent amendments made and the committee is requested accordingly to note the amendments made.

**IMPLICATIONS AND RISKS**

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

**Financial implications and risks:**

These changes are purely procedural and have no specific financial implications.

**Legal implications and risks:**

The Constitution provides for the Monitoring Officer to make certain amendments to the constitution

**Human Resources implications and risks: None**

**Equalities implications and risks: None**

**BACKGROUND PAPERS**

E-mail correspondence re: amendments

**SUBJECT: AMENDMENTS TO CONSTITUTION**

Notification No. 16

Date 23<sup>rd</sup> April 2013

**Notification of amendments to the constitution**

**Amendments made by the Monitoring Officer**

Part 2, Article 11.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution.

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
Part 3.2	39	Remove Health & Wellbeing Board section and insert a new section 2.7 as follows:  <b>2.7 Health &amp; Wellbeing Board</b> The Health and Wellbeing Board is by virtue of the provision of the Health and Social Care Act 2013 an executive committee of the Council to exercise those functions prescribed under the Health and Social Care Act 2012. In particular to: .....	Error – this is an executive function
Part 3.2	44	Remove Health & Wellbeing Board – Health Protection Forum to new section under 2.7  <b>Health Protection Forum</b> To provide assistance and guidance to the Director of Public Health to enable them to fulfil their function with regard to health protection and emergency planning as prescribed in section 12 of the Health and Social Care Act 2012	Error – this is an executive function

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# GOVERNANCE COMMITTEE

# REPORT

**Subject Heading:**

MONITORING OFFICER NO 17  
AMENDMENTS TO THE  
CONSTITUTION

**Report Author and contact details:**

IAN BURNS  
01708 432442

**Policy context:**

Monitoring Officer Amendments to the  
Constitution

**Financial summary:**

These changes are purely procedural and  
have no specific financial implications

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

**SUMMARY**

Part 2 Article 11.02(c) of the Constitution authorises the Monitoring Officer to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure.

The constitution provides that this committee must be notified of any such amendment at the first reasonable opportunity.

**RECOMMENDATIONS**

That this report be noted.

**REPORT DETAIL**

The Monitoring Officer has the ability to make limited amendments to the Constitution as set out in the summary above.

As a new Constitution has been adopted with effect from 9<sup>th</sup> May 2010 the numbering system has commenced again from 01/10.

The meeting of this committee is the first opportunity for the reporting of the most recent amendments made and the committee is requested accordingly to note the amendments made.

**IMPLICATIONS AND RISKS**

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

**Financial implications and risks:**

These changes are purely procedural and have no specific financial implications.

**Legal implications and risks:**

The Constitution provides for the Monitoring Officer to make certain amendments to the constitution

**Human Resources implications and risks: None**

**Equalities implications and risks: None**

**BACKGROUND PAPERS**

E-mail correspondence re: amendments

**SUBJECT: AMENDMENTS TO CONSTITUTION**

**Notification No. 17**

**Date 29th April 2013**

**Notification of amendments to the constitution**

**Amendments made by the Monitoring Officer**

Part 2, Article 11.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

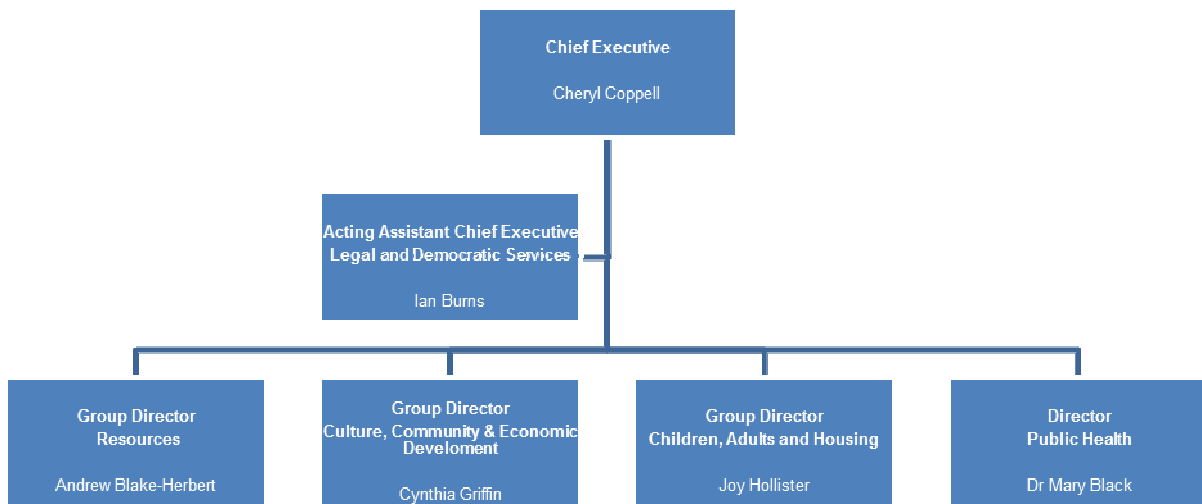
In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution.

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
Part 2 Article 1 1.03(b)	11	Amend item 3 in 1.03(b) to: Director of Children Services (appointed under S.18 Education Act 2004) and Director of Adult Social Services appointed under S.6 (A1) Local Authority Social Services Act 1970) (i.e. the Group Director of Children, Adults and Housing Services)	Reorganisation
Part 2 Article 1 1.03(b)	11	Delete item 4 in 1.03(b) and renumber item 5 to become item 4 and amend to: S.151 Officer (i.e. the Group Director Resources)	Reorganisation
Part 2 Article 1 1.03(b)	11	Renumber item 6 to item 5 and amend the name of the group director to: .. Group Director & Culture, Community & Economic Development	Reorganisation
Part 2 Article 1 1.03(b)	11	Renumber item 7 to item 6	Reorganisation
Part 2 Article 8 8.01(c)	21	Amend table of statutory posts to:  Group Director Resources = responsible officer under S.151 Local Government Act 1972 (Chief Finance Officer)  Group Director Children, Adults &	Reorganisation

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
		Housing Services = Director of Adult Social Services and Director of Childrens Services	
Part 3	59	Functions delegated to staff  Amend to read:  3.5 Functions relating to the Children, Adults & Housing group of services  3.6 Functions relating to the Culture, Community & Economic Development group of services  3.7 Functions relating to the Resources group of services	Reorganisation
Part 3.5	66	Amend to read:  <b>Functions relating to the Children, Adults &amp; Housing group of Services</b>	Reorganisation
Part 3.5.1	66	Amend to read:  Group Director Children, Adults & Housing Services	Reorganisation
Part 3.5.2	66	Delete 3.5.2 Group Director Children's Services and renumber section.	Reorganisation
Part 3.5.7	66	Add new section 3.5.7 Head of Homes and Housing	Reorganisation
Part 3.5.1	66	Amend heading to read:  <b>3.5.1 GROUP DIRECTOR CHILDREN, ADULTS AND HOUSING SERVICES</b>	Reorganisation
3.5.1	66	Deleted paragraph (h)	Reorganisation
3.5.2	67	Delete 5.5.2 Group Director Children's Services and	Reorganisation
3.5.2	67	Move 3.5.2 Group Director of Children's Services powers (a) (b) (f) (h) (i) (j) To 3.5.1 Group Director Children, Adults & Housing Services and renumber. Delete Group Director of Children	Reorganisation

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
		Services paras (c), (d), (e) and (g)	
3.5.4	69	Reorder 3.5.4 to 3.5.3 Amend (c) heading to read <b>The Head of Children and Young Person's Services and the Head of Learning and Achievement</b>	Reorganisation
3.5.3	69	Reorder 3.5.3 to 3.5.2	Reorganisation
3.5.5	69	Reorder 3.5.5. to 3.5.4	Reorganisation
3.5.6	75	Reorder 3.5.6 to 3.5.5	Reorganisation
3.5.7	78	Reorder 3.5.7 to 3.5.6	Reorganisation
3.5.7	80	Add New section <b>3.5.7 Head of Homes &amp; Housing</b>	Reorganisation
3.6	80	Amend heading to read: <b>Functions relating to the Culture, Community and Economic Development Group of Services</b>	Reorganisation
3.6	80	Amend to read <b>3.6.1 to Group Director Culture, Community and Economic Development</b>	Reorganisation
3.6	80	Amend to read <b>3.6.6 Head of Regulatory Services</b>	Reorganisation
3.6.2	81	Move paragraphs 3.6.2 (c) & (f) to 3.6.6 and renumber	Reorganisation
Part 3.6.5	86	Move paragraphs 3.6.5 (e) (f) & (g) to 3.6.6 and renumber	Reorganisation
Part 3.6.6	87	Amend heading to read: <b>3.6.6 Head of Regulatory Services</b>	Reorganisation
Part 3.6.6	87	Move paragraphs 3.6.6 (a) to (dd)(xv) to new 3.5.7	Reorganisation
Part 3.6.6	91	Add new Heading: <b>Planning Control, Building Control &amp; Business Continuity</b>	Reorganisation

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
Part 3.6.6	91	Rename (ee) Licensing as a heading <b><u>Licensing</u></b>	Reorganisation
Part 3.6.6	91	Rename first paragraph: (a) The Head of Regulatory Services, the Public Protection Manager and any of the Public Protection Divisional Managers	Reorganisation
Part 3.6.6	92	Rename (ff) Public Protection as a heading <b><u>Public Protection</u></b> and renumber paragraphs from (a) – (d)	Reorganisation
Part 3.6.6	93	Rename second paragraph: (ii) Cemeteries and Crematorium as a heading <b><u>Cemeteries and Crematorium</u></b> and renumber paragraph from (a) – (c)	Reorganisation
Part 3.7	94	Rename heading to read: <b>Functions relating to the Resources Group of Services</b>	Reorganisation
Part 3.7	94	Rename: <b>3.7.1 GROUP DIRECTOR RESOURCES</b>	Reorganisation
Part 3.7.1	94	3.5.1 rename: Group Director Resources	Reorganisation
Part 3.7.1	94	Delete 3.7.6 Head of Development and Building Control renumber 3.7.6 Head of People and Change	Reorganisation
Part 3.7.6	99	Move section 3.7.6 Planning Control, Building Control & Emergency Planning to 3.6.6 <b>Planning Control (a) – (cc)</b> <b>Building Control (a) - (c)</b> <b>Emergency Planning (a)</b>	Reorganisation
Part 4 Section 4 Contract Procedure Rules	187-219	Amend all references of Group Director Finance & Commerce to Group Director Resources	Reorganisation
Part 4 Section 2 Budget Framework	173-178	Amend all references of Group Director Finance & Commerce to Group Director Resources	Reorganisation
Part 4 Section 7 Finance	257-274	Amend all references of Group Director Finance & Commerce to Group Director Resources	Reorganisation
Part 7 Structure Chart	353	Structure chart to be amended to reflect Reorganisation	Reorganisation



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# GOVERNANCE COMMITTEE

# REPORT

<b>Subject Heading:</b>	MONITORING OFFICER NO 18 AMENDMENTS TO THE CONSTITUTION
<b>Report Author and contact details:</b>	IAN BURNS 01708 432442
<b>Policy context:</b>	Monitoring Officer Amendments to the Constitution
<b>Financial summary:</b>	These changes are purely procedural and have no specific financial implications

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

**SUMMARY**

Part 2 Article 11.02(c) of the Constitution authorises the Monitoring Officer to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure.

The constitution provides that this committee must be notified of any such amendment at the first reasonable opportunity.

**RECOMMENDATIONS**

That this report be noted

**REPORT DETAIL**

The Monitoring Officer has the ability to make limited amendments to the Constitution as set out in the summary above.

As a new Constitution has been adopted with effect from 9<sup>th</sup> May 2010 the numbering system has commenced again from 01/10.

The meeting of this committee is the first opportunity for the reporting of the most recent amendments made and the committee is requested accordingly to note the amendments made.

**IMPLICATIONS AND RISKS**

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

**Financial implications and risks:**

These changes are purely procedural and have no specific financial implications.

**Legal implications and risks:**

The Constitution provides for the Monitoring Officer to make certain amendments to the constitution

**Human Resources implications and risks: None**

**Equalities implications and risks: None**

**BACKGROUND PAPERS**

E-mail correspondence re: amendments

**SUBJECT: AMENDMENTS TO CONSTITUTION**

**Notification No. 18**

**Date 1<sup>st</sup> May 2013**

**Notification of amendments to the constitution**

**Amendments made by the Monitoring Officer**

Part 2, Article 11.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution.

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
Section 3.7	95		
3.7.1 (g)	96	Rename: Head of People and Change	
Part 3.7.7	105	To read:	Change of job title
Part 4 – 8 Staff Employment Procedure Rules	286	Head of Strategic Human Resources and Organisational Development	
Whole Constitution	Throughout	Rename : Group Director Finance & Commerce  To read:  Group Director Resources	Change of job title
Whole Constitution	Throughout	Rename:  Head of Development and Building Control  To read:  Head of Regulatory Services	Change of job title

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# GOVERNANCE COMMITTEE

# REPORT

<b>Subject Heading:</b>	MONITORING OFFICER NO 19 AMENDMENTS TO THE CONSTITUTION
<b>Report Author and contact details:</b>	IAN BURNS 01708 432442
<b>Policy context:</b>	Monitoring Officer Amendments to the Constitution
<b>Financial summary:</b>	These changes are purely procedural and have no specific financial implications

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

**SUMMARY**

Part 2 Article 11.02(c) of the Constitution authorises the Monitoring Officer to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure.

The constitution provides that this committee must be notified of any such amendment at the first reasonable opportunity.

**RECOMMENDATIONS**

That this report be noted.

**REPORT DETAIL**

The Monitoring Officer has the ability to make limited amendments to the Constitution as set out in the summary above.

As a new Constitution has been adopted with effect from 9<sup>th</sup> May 2010 the numbering system has commenced again from 01/10.

The meeting of this committee is the first opportunity for the reporting of the most recent amendments made and the committee is requested accordingly to note the amendments made.

**IMPLICATIONS AND RISKS**

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

**Financial implications and risks:**

These changes are purely procedural and have no specific financial implications.

**Legal implications and risks:**

The Constitution provides for the Monitoring Officer to make certain amendments to the constitution

**Human Resources implications and risks: None**

**Equalities implications and risks: None**

**BACKGROUND PAPERS**

E-mail correspondence re: amendments

**SUBJECT: AMENDMENTS TO CONSTITUTION**

**Notification No. 19**

**Date 14<sup>th</sup> May 2013**

**Notification of amendments to the constitution**

**Amendments made by the Monitoring Officer**

Part 2, Article 11.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution.

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
Whole Constitution	Throughout	Rename: Social Care & Learning  To read: Children, Adults & Housing	Restructure
Whole Constitution	Throughout	Rename:  Culture & Community  To read: Culture, Community & Economic Development	Restructure
Contents Page	1	Rename: Head of Housing & Public Protection  To read: Head of Regulatory Services	Restructure
Article 1 1.03 Definitions (b) 6	12	<b>Director of Public Health</b> Amend first paragraph to read:  Those in categories <b>1 – 4</b> and <b>6</b> are statutory chief officers, those in category <b>5</b> are non-statutory	Restructure
Part 3.1.3	35	Amend to read 3.5 Children, Adults & Housing 3.6 Culture, Community & Economic Development	Restructure

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
		3.7 Resources 3.8 Legal & Democratic	
Part 3.5.3	69	Delete: <b>ALL HEADS OF SERVICE WITHIN THE HEAD OF CHILDREN AND YOUNG PERSON'S SERVICES AND THE HEAD OF LEARNING AND ACHIEVEMENT</b>  Amend to read: <b>ALL HEADS OF SERVICE</b>	Restructure
Part 3.3 Appendix A	111	Rename all: Head of Housing & Public Protection  To read: Head of Regulatory Services	Restructure